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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/663,741 | 09/17/2003 | Terry L. Gilton | M4065.0656/P656 | 2658 |
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| | SHAPIRO MORIN | NGUYEN, CUONG QUANG | | |
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DATE MAILED: 09/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary Examiner | | Application No. | Applicant(s) | | | | |
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| Cuong Q Nguyen Cuong Q Nguyen 2811 | Office Action Summany | | | | | | |
| The MAILING DATE of this communication appears on the cover sheet with the correspondence address − Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Estations of them truly be waited used the provision of 3° CPR 1136(b). In no event, however, may a reply be timely filled Estations of them truly be available used the provision of 3° CPR 1136(b). In no event, however, may a reply be timely filled Estations of them they be seed the state of the provision of 3° CPR 1136(b). In no event, however, may a reply be timely filled Estations of them the set of extended periods to reply will, by adulation, provised will you adulately milled will on the mailing date of this communication of the mailing date of this communication of the mailing date of this communication. Fill the period for reply seeding the source of the provision of the mailing date of this communication. Fill the period for reply seeding the set of extended period for reply will, by adulation, because the application in thermal adulation and the mailing date of this communication. Fill the period for reply seeding the set of the communication of the mailing date of this communication. Fill the period for reply seeding the set of the communication of the mailing date of this communication. Fill the period for reply seeding the set of the communication in the communication. The Responsive to communication (s) filled on | Office Action Summary | Examiner | Art Unit | | | | |
| A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION. - Ederation of those may be available under the provisions of 37 CFR 1.35(s), in no event, however, may a reply be timely filed - Ederation of those may be available under the provisions of 37 CFR 1.35(s), in no event, however, may a reply be timely filed - Ederation of the provision of the provision of 37 CFR 1.35(s), in no event, however, may a reply be timely filed - Ederation of the provision of the provision of 37 CFR 1.35(s), in no event, however, may a reply be timely filed - Ederation of the provision of the provision of 37 CFR 1.35(s), in no event, however, may a reply be timely filed - Ederation of the provision of the | | | | | | | |
| THE MALLING DATE OF THIS COMMUNICATION. Edenions of time may be variable under the provision of 3 CPR 1.13(6). In no event, however, may a reply be timely filed other DX (6) MONTHS from the mailing date of this communication. A provision of the provision of th | | | | | | | |
| 1) Responsive to communication(s) filed on | THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any | | | | | | |
| 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-6 is/are pending in the application. 4a) Of the above claim(s) 10-25 is/are withdrawn from consideration. 5) Claim(s) 1-9 and 26-46 is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some C None of: 1. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of Preferences Cited (PTO-852) Notice of Informal Patent Application (PTO-152) | Status | | • | | | | |
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| | | | atom Application (1 10-102) | | | | |

DETAILED ACTION

Reason for Allowance

- 1. Claims 1-9 and 26-46 are allowed.
- 2. The following is an examiner's statement of reasons for allowance: Prior art do not teach or render obvious a memory cell of a memory device has an arrangement as claimed in claims 1, 26, and 35.
- 3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. This application is in condition for allowance except for the following formal matters:

The term "first electrode" in line 5 of claim 1, in line 9 of claim 26, and in line 8 of claim 35 should be changed to "first conductive layer".

Prosecution on the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO**MONTHS from the mailing date of this letter.

5. Papers related to this application may be submitted to Technology center (TC) 2800 by facsimile transmission. Papers should be faxed to TC 2800 via the TC 2800 Fax center located in Crystal Plaza 4, room 4-C23. The faxing of such

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papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Group 2811 Fax Center number is (703) 872-9306. The Group 2811 Fax Center is to be used only for papers related to Group 2811 applications.

6. Any inquiry concerning this communication or any earlier communication from the Examiner should be directed to CUONG Q NGUYEN whose telephone number is (571) 272-1661. The Examiner is in the Office generally between the hours of 6:30 AM to 5:00 PM (Eastern Standard Time) Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lee, can be reached on (571) 2721732

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Cuong Ngu/en

Primary examiner

September 16, 2004